



PROBATION AND PAROLE BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: P&P 10-4	Subject: VICTIM RIGHTS AND NOTIFICATION	
Reference: DOC 1.1.8; DOC 1.5.5; DOC 1.8.1; DOC 1.8.2; DOC 1.8.3; 2-15-112, MCA; 41-5-1416, MCA; 46-18-241, MCA; 46-24-101,203, MCA; 46-24-212, 213, MCA; 53-1-203, MCA	Page 1 of 4	
Effective Date: 06/01/00	Revision Dates: 11/01/01; 06/17/02; 03/14/03; 03/02/09; 7/10/13	
Signature / Title: /s/ Ron Alsbury, Probation & Parole Bureau Chief		

I. BUREAU DIRECTIVE:

Probation & Parole Bureau employees will reflect the Department of Corrections' mission to support victims of crime and will treat victims with respect, dignity and sensitivity. Employees will become familiar and comply with applicable statutes, regulations, and policies regarding crime victim information and notification.

II. DEFINITION:

Advocacy – Writing, speaking or acting on behalf of crime victims.

Department – The Montana Department of Corrections.

OMIS-Offender Management Information System – The Department's electronic data collection and reporting system.

Victim – The person against whom a felony crime has been committed or a family member of that person. Other individuals may be recognized as victims on a case-by-case basis.

Victim-Offender Dialogue – A voluntary program that allows a victim as defined above, or an adult acting on behalf of a victim who is under age 18, to discuss the impacts of the crime with the offender in the presence of a trained facilitator.

VINE-Victim Information and Notification Everyday – An automated telephone and email notification system that the Department purchases on contract, which provides custody status updates about adult offenders under Department supervision.

VPM-Victim Program Manager – A Department employee located in the Director's Office who manages victim programs and policies, responds to victims' requests for information and referrals, provides victim services training, and represents victim interest in all Department matters.

III. PROCEDURES:

A. Advocacy

The Probation & Parole (P&P) Bureau will support crime victims by:

- Promptly responding to victim requests for information about offenders under Department supervision;
- Determining and enforcing a payment schedule for court-ordered victim restitution;
- Referring victims to the VPM for information about participation in victim programs;

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- Training employees to be responsive to victims' issues and needs; and
- Providing notification about offender custody status as required by statute.

When Officers have contact with victims through pre-sentence investigations, or when victims inquire about notification, Officers will provide *DOC 1.8.1(Attachment) Victim Notification Request and Registration Information*, information about VINE and other Department program information that may be appropriate.

B. Access to Information

P&P Officers (Officers) will provide information on offenders as authorized in *DOC 1.1.8 Media Relations*, *DOC 1.5.5 Offender Records Management, Access, and Release*, *P&P 40-1 Offender Records Management, Access, and Release*, and §46-24-101, MCA.

Officers may contact the Department's VPM, communications director, or Legal Services Unit for guidance regarding information that can and cannot be released to the victim.

C. Victim Notification

1. Statutory Notification

§46-24-212, MCA, requires the Department provide certain information about offenders to victims who register in writing to be notified. This information includes:

- date of discharge from prison
- community in which the offender will reside upon receiving probation or parole
- any change in location or status (transfer, to facility, to jail, etc.)
- escape/absconding from community supervision/recapture
- decisions of the Board of Pardons and Parole
- decision of Governor to commute sentence
- conditions of community supervision
- the offender's death.

a. Notification Steps

Once victims have registered with the Department, the following steps will be followed:

- i. Victim information will be entered into OMIS by specific Department staff.
- ii. Officers will use victim information to make immediate notifications regarding any changes in the above-listed information. All notifications by Officers will comply with the requirements in applicable policies, procedures and statutes.

b. Appeal

Notification to victims who have registered with the Department is statutorily required; therefore, offenders may not appeal any delay or other impairment of case decisions or actions resulting from the Bureau's efforts to meet its statutory obligation.

2. Automated Victim Notification

VINE is an automated victim notification system that provides current custody status information 24 hours a day about adult inmates in secure custody and offenders under community supervision. Victims and the public may register anonymously with VINE for automatic notification by telephone at (800) 456-3076 or via the internet at

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www.vinelink.com. The Regional Administrator (RA) or designee shall ensure that all staff members are aware of the system and Officers can use, demonstrate and promote the use of the system to victims and the general public.

D. Victim-Offender Dialogue

The Department adopted *DOC 1.8.2 Victim-Offender Dialogue (VOD)* in 2006 to provide victims an opportunity to begin healing from the traumatic effects of crime. VOD also helps offenders take responsibility for their actions and express remorse. Only victims can initiate the process and offenders participate voluntarily. The VPM serves as the program manager and dialogues are facilitated by volunteers who meet specific qualifications. Officers are in a unique position to identify victims who may want to participate and are encouraged to refer the victim to the VPM. (See *DOC 1.8.2* for procedures.)

E. Offender Accountability Letters

The Department adopted *DOC 1.8.3 Offender Accountability Letters* in 2008 to provide a uniform process for supervised offenders to express remorse and personal responsibility to their victims. Officers are encouraged to assist offenders who wish to participate. Draft letters are screened by Department staff and returned to the offenders as needed for revisions. Appropriate letters are deposited in the Accountability Letter Bank maintained by the VPM, where victims can access them voluntarily. Unsolicited letters should not be sent to victims because they may cause further trauma and violate no-contact orders. The VPM provides technical support and letter screening assistance. (See *DOC 1.8.3* for procedures.)

F. Victim Impact Panels (VIP)

The Department provides training and technical support to adult community corrections facilities and programs that wish to host VIPs as part of offender treatment/programming. VIPs typically include 2-3 victims who speak to a group of offenders about how they and their loved ones have been affected by crimes. Facility/program staff determines when a VIP is appropriate for the particular group of offenders.

G. Training

The Department VPM will provide victim services training to P&P Bureau employees. Training includes victim information requests, VINE and other notification procedures, victim sensitivity and staff communication skills, policy and procedure requirements and Department programs for victims.

IV. CLOSING:

Questions concerning this procedure shall be directed to the RA or designee.

Forms

DOC 1.8.1 Attachment Victim Notification Request and Registration Information